United Nations S/2008/806

Security Council

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23 December 2008

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Letter dated 19 December 2008 from the Chairman of the Security Council Committee established pursuant to resolution 751 (1992) concerning Somalia addressed to the President of the Security Council

I have the honour to transmit herewith the report of the Security Council Committee established pursuant to resolution 751 (1992) concerning Somalia (see annex), which contains an account of the Committee's activities during the period from 1 January to 31 December 2008. The report is being submitted in accordance with the note by the President of the Security Council of 29 March 1995 (S/1995/234).

(*Signed*) Dumisani Shadrack **Kumalo**
Chairman
Security Council Committee established pursuant
to resolution 751 (1992) concerning Somalia

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Annex

Annual report of the Security Council Committee established pursuant to resolution 751 (1992) concerning Somalia

I. Introduction

1. The present report of the Security Council Committee established pursuant to resolution 751 (1992) concerning Somalia covers the period from 1 January to 31 December 2008.

2. For 2008, the bureau consisted of Dumisani S. Kumalo (South Africa) as Chairman, with the delegations of Croatia and the Libyan Arab Jamahiriya providing the Vice-Chairmen.

3. During the reporting period, the Committee met seven times in informal consultations.

II. Background

4. By resolution 733 (1992), the Security Council imposed a general and complete arms embargo on Somalia, and by resolution 751 (1992) the Council established a Committee to oversee the implementation of the embargo. Subsequently, in resolutions 1356 (2001), 1425 (2002), 1744 (2007) and 1772 (2007), the Council outlined certain exemptions to the embargo and further elaborated the scope of the measures.

5. During the reporting period, by resolution 1811 (2008) of 29 April 2008, the Security Council requested the Secretary-General, in consultation with the Committee, to re-establish, for a period of six months, the Monitoring Group on Somalia referred to in paragraph 3 of resolution 1558 (2004). The re-established Monitoring Group was mandated, inter alia, to: continue the tasks outlined in paragraph 3 (a) to (c) of resolution 1587 (2005) (i.e., investigate the implementation, and violations, of the arms embargo and make recommendations), continue to investigate, in coordination with relevant international agencies, all activities, including in the financial, maritime and other sectors, which generated revenues used to commit arms embargo violations; continue to investigate any means of transport, routes, seaports, airports and other facilities used in connection with arms embargo violations; continue refining and updating information on the draft list of those individuals and entities that violated the measures implemented by Member States in accordance with resolution 733 (1992), inside and outside Somalia, and their active supporters, for possible future measures by the Council, and present such information to the Committee as and when the Committee deemed appropriate; continue making recommendations based on its investigations and on the previous reports of the Monitoring Group; work closely with the Committee on specific recommendations for additional measures to improve overall compliance with the arms embargo; assist in identifying areas where the capacities of States in the region could be strengthened to facilitate the implementation of the arms embargo; provide to the Council, through the Committee, a midterm briefing within 90 days from its establishment, and submit progress reports to the Committee on a monthly basis; and submit, for the Security Council's consideration, a final report

covering all the tasks set out above, no later than 15 days prior to the termination of the Monitoring Group's mandate.

6. By resolution 1844 (2008) of 20 November 2008, the Security Council, emphasizing the contribution made to Somalia's peace and security by the arms embargo imposed by paragraph 5 of resolution 733 (1992), decided, inter alia, that all Member States should take the necessary measures to prevent the entry into or transit through their territories of individuals designated by the Committee pursuant to paragraph 8 of the same resolution. The Council also decided that all Member States should freeze without delay the funds, other financial assets and economic resources owned or controlled directly or indirectly by the individuals or entities designated by the Committee. The Council also imposed on individuals and entities designated by the Committee a prohibition on the supply, sale or transfer of weapons and military equipment, and related training, and financial and other assistance. By paragraph 8 of the same resolution, the Council mandated the Committee to designate individuals and entities: (a) engaging in or providing support for acts that threaten the peace, security or stability of Somalia; (b) having acted in violation of the general and complete arms embargo; and (c) obstructing delivery or access to humanitarian assistance to Somalia. The Committee was entrusted with the tasks, inter alia, by paragraph 11, of monitoring the implementation of the travel ban and assets freeze, with the support of the Monitoring Group; of seeking from all Member States, in particular those in the region, information regarding the actions taken by them to implement effectively the travel ban and assets freeze; and of reporting to the Council at least every 120 days on its work and on the implementation of resolution 1844 (2008).

III. Summary of the Committee's activities

7. On 15 January 2008, the Committee held informal consultations for the purpose of hearing a midterm briefing of the Monitoring Group pursuant to paragraph 3 (h) of resolution 1766 (2007). On 25 March 2008, the Committee discussed a request by the Monitoring Group for assistance in eliciting replies from the African Union and Member States. The Committee subsequently, on 27 March, dispatched letters to the Permanent Representatives of the African Union, Ethiopia, Somalia and the United Arab Emirates.

8. On 23 April 2008, the Committee held informal consultations to discuss the final report of the Monitoring Group submitted in accordance with resolution 1766 (2007), and agreed to send letters to the Permanent Representatives of Djibouti, Eritrea, Ethiopia, Yemen, the United Kingdom of Great Britain and Northern Ireland and the United Arab Emirates drawing attention to relevant paragraphs in the final report of the Monitoring Group of 24 April 2008 (see S/2008/274) and requesting the views of the respective Governments in that regard. The Committee also agreed to address letters to the Permanent Representative of Somalia and to the Commissioner for Peace and Security of the African Union recommending an independent investigation into the reported sale of weapons and ammunition to the Somali arms market, by officials of the Transitional Federal Government and members of the Ugandan contingent of the African Union Mission to Somalia (AMISOM), respectively. The Committee also agreed to send letters to the Permanent Representatives of Bulgaria, the Comoros, the Czech Republic, Ethiopia, France, Iran (Islamic Republic of), Greece, Japan, Kenya, Poland, Saudi

Arabia, Serbia, the United States of America, and the African Union, to elicit responses to unanswered requests by the Monitoring Group. The Committee also dispatched a note verbale to all Member States referring to the implementation of the arms embargo and to the exemptions provided for in resolution 1772 (2007). On 16 May 2008, the Chairman briefed the Council in informal consultations on the final report of the Monitoring Group.

9. On 25 June 2008, the Committee held informal consultations with the Monitoring Group re-established pursuant to resolution 1811 (2008) and also discussed the request of the Security Council contained in paragraphs 6 and 7 of resolution 1814 (2008) to provide recommendations on specific measures the Council might impose on individuals and entities that block the peace process or breach the arms embargo.

10. On 24 July 2008, the Committee held an exchange of views with the Special Representative of the Secretary-General for Somalia, Mr. Ahmedou Ould-Abdallah, in connection with the Council's request in paragraphs 6 and 7 of resolution 1814 (2008). In this regard, in a letter dated 1 August 2008 to the President of the Security Council, the Committee conveyed its recommendations to the Security Council concerning the imposition of targeted measures against individuals and entities as designated by the Committee.

11. On 9 September 2008, the Committee heard a midterm briefing by the Monitoring Group. Subsequently, on 23 September 2008, the Committee addressed letters to follow up on requests for information by the Monitoring Group to the Permanent Representatives of the African Union, the Czech Republic, the Comoros, Djibouti, Eritrea, Ethiopia, Iran (Islamic Republic of) and the United Arab Emirates.

12. The Committee held consultations on 9 December 2008 to hear a presentation by the Monitoring Group of its final report of 10 December 2008 (see S/2008/769) and to discuss the observations and recommendations contained in the report. On 11 December 2008, in informal consultations, the Chairman briefed the members of the Council on the main findings contained in the report and on the Committee's discussions of the Group's report and its recommendations. In connection with recommendations contained in the report of the Monitoring Group, the Committee on 19 December 2008 dispatched letters to the Permanent Representatives of Somalia and Ethiopia to the United Nations, the Chairperson of the African Union Commission and the Under-Secretary-General for Peacekeeping Operations. The Committee also addressed a note verbale to all Member States drawing attention to paragraph 269 of the report of the Monitoring Group and related existing mechanisms, and to the need for compliance with the provisions for exemptions to the arms embargo as set forth in paragraphs 11 and 12 of resolution 1772 (2007).

13. During the reporting period, the Committee received 14 requests for exemptions to the arms embargo for non-lethal military equipment pursuant to paragraph 3 of resolution 1356 (2001), one request for an exemption to the arms embargo pursuant to paragraph 11 (b) of resolution 1772 (2007) and a notification pursuant to paragraph 6 of resolution 1744 (2007). The Governments of Denmark and the Netherlands informed the Committee of their decisions to provide naval escort to merchant ships carrying relief cargo at the request of the World Food Programme and with the consent of the Transitional Federal Government.

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Security Council

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24 December 2008

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Identical letters dated 22 December 2008 from the Permanent Representative of Israel to the United Nations addressed to the Secretary-General and the President of the Security Council

I write to you to convey Israel's strong protest following the escalation on the ground in southern Israel in the past few days, initiated by the Hamas terror organization.

The latest escalation took place only a few days after the Security Council adopted resolution 1850 (2008). While we were all highly pleased with the positive progress that had been made during the past year in promoting peace between Israel and the Palestinians, Hamas announced the end of the "state of calm".

This is a serious development that endangers peace and stability in the region. The responsibility for these alarming developments lies exclusively with Hamas, as was already mentioned by the Envoy of the Secretary-General to the Quartet in his briefing to the Security Council on 18 December 2008.

Prior to and following the announcement of the end of the "state of calm" on 19 December 2008, Hamas and other Palestinian terrorist organizations — including the Palestinian Islamic Jihad — increased the frequency and intensity of their attacks from the Gaza Strip against the civilian population in southern Israel. Over 100 rockets and mortars have been launched against Israeli towns and cities in the past five days alone.

Let me mention again — as I did in my speech to the Security Council on 18 December — that the year 2008 has witnessed a record number of more than 2,900 rockets and mortar shells that were launched from the Gaza Strip targeting Israeli territory.

Israel is interested in continuing the "state of calm" and has thus far demonstrated restraint in its response to the current escalation. However, under article 51 of the Charter of the United Nations, Israel has the full right to defend itself and the security of its citizens from such attacks. Israel will not tolerate a situation in which Israeli citizens become hostages of a terrorist organization.

While determined to protect the lives of its citizens, Israel will continue to provide the people of Gaza with their basic humanitarian needs.

Let me stress, in conclusion, that the Hamas terrorist organization bears the sole responsibility for the situation of the inhabitants of Gaza, as it continues to

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launch rockets from within civilian centres in Gaza. The terrorists even attack the crossings that facilitate the transfer of goods into the Gaza Strip.

I should be grateful if you could have the present letter circulated as a document of the Security Council.

(*Signed*) Gabriela **Shalev**
Ambassador
Permanent Representative

United Nations S/2008/808

Security Council

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23 December 2008

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Report of the Secretary-General concerning the credentials of the representatives and deputies and alternate representatives of the members of the Security Council elected for the period 2009-2010

1. At its 28th plenary meeting, on 17 October 2008, the General Assembly elected Austria, Japan, Mexico, Turkey and Uganda as non-permanent members of the Security Council for a term of two years beginning on 1 January 2009.

2. Pursuant to rule 15 of the provisional rules of procedure of the Security Council, the Secretary-General wishes to report that, with regard to the representation of the members of the Council elected for the period 2009-2010, he has received the communications referred to hereunder.

Austria: Credentials from the Federal Minister for European and International Affairs of Austria, signed on 17 December 2008, stating that Thomas Mayr-Harting has been appointed representative of Austria on the Security Council, Christian Ebner, deputy representative, and Nikolaus Lutterotti, Konrad Bühler, Jürgen Heissel, Gabriele Juen, Barbara Kaudel, Valerie Kyrle, Hannah Liko, Ulrike Nguyen and Christoph Wieland, alternate representatives.

In the opinion of the Secretary-General, these credentials are in order.

Japan: Credentials from the Minister for Foreign Affairs of Japan, signed on 7 November 2008, stating that Yukio Takasu has been appointed representative of Japan on the Security Council, Norihiro Okuda, deputy representative, and Shigeki Sumi, Akio Miyajima, Takashi Ashiki, Tetsuya Kimura, Tomohiro Mikanagi, Yutaka Arima, Naoki Kumagai and Jun Miura, alternate representatives.

In the opinion of the Secretary-General, these credentials are in order.

Mexico: Credentials from the Minister for Foreign Affairs of Mexico, signed on 4 November 2008, stating that Claude Heller has been appointed representative of Mexico on the Security Council, Juan Manuel Gómez Robledo, Pablo Macedo, Socorro Rovirosa, Guillermo Alejandro Puente Ordorica and Fernando González Saiffe, deputy representatives and Victor Manuel Sánchez Colin, Enrique Ochoa Martinez, Alejandro Alday González, Roberto Armando de León Huerta, Noel González Segura, David Alejandro Olvera Ayes, Carlos Cabriel Ruiz-Massieu Aguirre, Rodrigo Pintado Collet and Raúl Vargas Juárez, alternate representatives.

In the opinion of the Secretary-General, these credentials are in order.

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Turkey: Credentials from the Minister for Foreign Affairs of Turkey, signed on 12 December 2008, stating that Baki İlkin has been appointed representative of Turkey on the Security Council, Fazli Çorman, deputy representative, and Hüseyin Müftüoğlu, Zeki Levent Gümrükçü, Gülin Dinç, Can Dizdar, Selçuk Ünal, Timur Söylemez, Çağla Tansu Seçkin, Aydan Karamanoğlu, Ismail Çobanoğlu, Ramis Şen and Emriye Bağdagül Ormanci, alternate representatives.

In the opinion of the Secretary-General, these credentials are in order.

Uganda: Credentials from the Minister for Foreign Affairs of Uganda, signed on 15 December 2008, stating that Ruhakana Rugunda has been appointed representative of Uganda on the Security Council, Patrick S. Mugoya, deputy representative, and Rhoda Kaisho-Sinani, Isaac Biruma Sebulime, Benedict Lukwiya, Arthur Kafeero, Denis Manana, Elly Kamahungye, Fred Tolit, Leonard Mugerwa, George Maiteki Baitera, Duncan Laki Muhumuza, Stephen Nkayivu Ssenabulya, Margaret Awino Kafeero and Nasanairi Kamudoli, alternate representatives.

In the opinion of the Secretary-General, these credentials are in order.

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Letter dated 23 December 2008 from the President of the Security Council to the Secretary-General

I have the honour to inform you that the recommendation contained in paragraph 50 of your report dated 26 November 2008 (S/2008/733) to extend the mandate of the United Nations Peacebuilding Support Office in the Central African Republic for an additional year, from 1 January to 31 December 2009, has been brought to the attention of the members of the Security Council. They take note of that recommendation.

Council members also acknowledge the need to establish an integrated United Nations office in the Central African Republic, as emphasized in the conclusions made by a delegation of the Peacebuilding Commission following its recent visit to the country. They look forward to your recommendations in this regard and would appreciate receiving them by 28 February 2009.

(*Signed*) Neven **Jurica**
President of the Security Council

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General Assembly
Security Council

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General Assembly
Sixty-third session
Agenda item 15
The situation in the Middle East

Security Council
Sixty-third year

Identical letters dated 22 December 2008 from the Chargé d'affaires a.i. of the Permanent Mission of Lebanon to the United Nations addressed to the Secretary-General and the President of the Security Council

On the instructions of my Government, I transmit to you herewith a statistical summary of Israeli violations from 1 to 16 December 2008 (see annex).

I should be grateful if you would have this letter and its annex circulated as a document of the sixty-third session of the General Assembly, under agenda item 15, and of the Security Council.

(*Signed*) Majdi **Ramadan**
Chargé d'affaires a.i.

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Annex to the identical letters dated 22 December 2008 from the Chargé d'affaires a.i. of the Permanent Mission of Lebanon to the United Nations addressed to the Secretary-General and the President of the Security Council

Subject: Israeli violations, acts of aggression and other activities from 1 to 16 December 2008

Air violations

On 1 December 2008, 14 enemy Israeli warplanes violated Lebanese airspace as follows: at 1046 hours, six planes entered over al-Naqurah and two planes entered over Rumaysh; at 1050 hours, two planes entered over the sea off Jubayl; at 1058 hours, two planes entered over the sea off Jubayl; at 1152 hours, two planes entered over `Alma al-Sha`b. All of them circled over all Lebanese regions. At 1118 hours, 10 planes departed over the sea off al-Naqurah; at 1140 hours, two planes departed over Kafr Kila; at 1204 hours, two planes departed over the sea off Shikka in the direction of Turkey.

Between 0720 hours and 1450 hours, an enemy Israeli reconnaissance aircraft violated Lebanese airspace, entering over the sea off Tyre. It circled over regions of the South before departing over Rumaysh.

On 3 December 2008, at 1015 hours, four enemy Israeli aircraft violated Lebanese airspace, entering over the Shab`a farmlands. They circled over the southern regions of the Shuf, the western Bekaa, and Dbayeh before departing over `Alma al-Sha`b.

On 4 December 2008, between 0645 hours and 1005 hours, an enemy Israeli reconnaissance aircraft violated Lebanese airspace, entering over al-Naqurah. It circled over the Beirut region before departing over the sea off al-Naqurah.

Between 1030 hours and 1435 hours, an enemy Israeli reconnaissance aircraft violated Lebanese airspace, entering over the sea off al-Naqurah. It circled over the regions of Beirut and the South before departing over al-Naqurah.

On 6 December 2008, between 1300 hours and 2130 hours, an enemy Israeli reconnaissance aircraft violated Lebanese airspace, entering over al-Naqurah. It circled over regions of the South before departing over Rumaysh.

On 7 December 2008, at 2040 hours, an enemy Israeli reconnaissance aircraft violated Lebanese airspace, entering over `Alma al-Sha`b. It circled between Beirut and the South before departing on 8 December 2008 at 0035 hours over al-Naqurah.

On 9 December 2008, between 1818 hours and 2005 hours, two enemy Israeli warplanes violated Lebanese airspace, entering over Dayr Mimas. They circled over all Lebanese regions before departing over `Alma al-Sha`b.

On 11 December 2008, between 0750 hours and 2335 hours, an enemy Israeli reconnaissance aircraft violated Lebanese airspace, entering over al-Naqurah. It circled over Beirut and the South before departing over al-Naqurah.

Between 1035 hours and 1205 hours, two enemy Israeli warplanes violated Lebanese airspace, entering over Kafr Kila and flying north as far as Shikka. They circled over all Lebanese regions before departing over `Alma al-Sha`b.

On 12 December 2008, between 1200 hours and 1300 hours, four enemy Israeli warplanes violated Lebanese airspace, entering over the Shab'a farmlands. They circled over Beirut and the South before departing over 'Alma al-Sha'b.

Between 1425 hours and 1512 hours, an enemy Israeli reconnaissance aircraft violated Lebanese airspace, entering over the sea off Sidon and flying north as far as the west of Jounieh. It circled over the sea between Jounieh and Sidon before departing over the sea off al-Naqurah.

On 16 December 2008, between 1120 hours and 1200 hours, four enemy Israeli warplanes violated Lebanese airspace, entering over the sea off Tripoli. They circled over regions of al-Hirmil, Baalbek and Shikka before departing over the sea off al-Naqurah.

Sea violations

On 15 December 2008, at 1915 hours, an enemy Israeli military launch located 100 metres south of the line of buoys and 500 metres off the coast shone a searchlight at a Lebanese fishing vessel located 200 metres north of the line of buoys.

On 16 December 2008, an enemy Israeli military launch shone a searchlight in the direction of Lebanese territorial waters north of the line of buoys (in the vicinity of the second buoy) as follows: at 1912 hours for four seconds; at 1929 hours for four seconds; and at 2056 hours for 10 seconds.

Ground violations

On 2 December 2008, at 2142 hours, the Israeli enemy shone a searchlight for 20 seconds from its position south of Ramiyah in the direction of the Mirwahin-Tarbikha-Jabal Balat triangle.

On 8 December 2008, at 1745 hours, the Israeli enemy shone a searchlight for 10 seconds from the Zar'it barracks in the direction of Jabal Balat.

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Security Council

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General Assembly
Sixty-third session
Agenda item 99
Measures to eliminate international terrorism

Security Council
Sixty-third year

Letter dated 23 December 2008 from the Permanent Representative of the Russian Federation to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith the text of a statement by the State Duma of the Federal Assembly of the Russian Federation dated 3 December 2008 concerning the terrorist acts in the Indian city of Mumbai (see annex). I should be grateful if you would have this letter and its annex circulated as a document of the General Assembly, under agenda item 99, and of the Security Council.

(*Signed*) Vitaly **Churkin**

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Annex to the letter dated 23 December 2008 from the Permanent Representative of the Russian Federation to the United Nations addressed to the Secretary-General

Statement by the State Duma concerning the terrorist acts in the Indian city of Mumbai

3 December 2008

International terrorists have perpetrated yet another bloodthirsty crime against humanity. In the city of Mumbai (Republic of India), following a series of inhuman terrorist acts, hundreds of civilians — nationals of India and of other States — fell victim to the criminals.

The deputies of the State Duma of the Federal Assembly of the Russian Federation are appalled by this monstrous act directed first and foremost against the friendly people of India.

There can be no justification for the atrocities of terrorist organizations, in whatever ethnic or religious guise. By directing their bloodthirsty acts against civilians, old people, women and children, and striving to undermine the stability and economic prosperity of States and entire regions of the world, the participants in the global terrorist underground are putting themselves outside the law and all morality.

The deputies of the State Duma believe that the international community must rally together in combating the main challenge of the twenty-first century — international terrorism.

The deputies of the State Duma express their firm adherence to the conclusions and proposals contained in the statements of the State Duma of the Federal Assembly of the Russian Federation of 22 September 2004, on international cooperation in combating terrorism, and 9 September 2005, on the inadmissibility of double standards in combating terrorism, and also in the message dated 24 January 2003 from the State Duma of the Federal Assembly of the Russian Federation to the parliaments of the world concerning the need to develop international cooperation on issues of the extradition of persons involved in terrorist activity.

The counter-terrorist coalition of the leading world powers must be brought back to the political arena and must secure the unconditional implementation by all members of the international community of the global counter-terrorism strategy adopted by the United Nations General Assembly in 2006. The efforts of contemporary civilization must be directed at combating those who have posed a direct challenge to it. It is inadmissible to expend resources and efforts on creating and deploying weapons systems aimed against imaginary and hypothetical threats at a time when thousands of completely innocent people are dying as a result of a real evil.

The Russian Federation and India, whose nationals have frequently been the targets of attacks by international terrorists, have always acted consistently and resolutely, shoulder-to-shoulder against terrorism. In putting forward the initiative to draw up an international convention for the suppression of acts of nuclear terrorism, which was adopted by the United Nations General Assembly in 2005, the Russian

Federation believed that it would provide additional impetus to the development of broad international counter-terrorist cooperation.

The deputies of the State Duma express concern about the stalemate concerning the draft comprehensive convention on international terrorism proposed by India and stress the need for the United Nations to reach early agreement on this very important document, which should become the basis of the international legal framework for combating terrorism.

The State Duma expresses deep sympathy to the relatives of the victims of the terrorist acts in the city of Mumbai and reaffirms its unfailing and sincere solidarity with the Indian people in their just struggle against the terrorist threat.